



The following constitutes  
the order of the court. Signed March 12, 2018

*M. Elaine Hammond*

M. Elaine Hammond  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re	)	Case No. 08-55305 MEH
JAMES MADISON KELLEY,	)	Chapter 11
	)	
	)	
Debtor.	)	
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JAMES MADISON KELLEY,	)	Adv. No. 10-05245
Plaintiff.	)	
v.	)	
JPMORGAN CHASE BANK, N.A.,	)	Date: November 10, 2015
Successor to Washington Mutual Bank,	)	Time: 11:00 a.m.
	)	Ctrm: 3070 (San Jose)
Defendant.	)	
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AMENDED JUDGMENT

The adversary proceeding captioned “James Madison Kelley v. JPMorgan Chase Bank, N.A., Successor to Washington Mutual Bank,” Adversary Proceeding No. 10-05245 (the “Action”), and the Debtor’s Objection (“Objection”) to Claim Nos. 2 and 3 (together, the “Claims”), came on for hearing before the Court on November 10, 2015, Hon. Dennis Montali, United States Bankruptcy Judge Presiding, on a Motion for Summary Judgment of Defendant

JPMorgan Chase Bank, N.A., as acquirer of certain assets and liabilities of Washington Mutual Bank, from the Federal Deposit Insurance Corporation, as receiver of Washington Mutual Bank (“Defendant” or “Creditor”) and a Motion for Summary Adjudication of Plaintiff James Madison Kelley (“Plaintiff” or “Debtor”). The evidence presented having been fully considered, the issues having been duly heard, a decision having been duly rendered, and GOOD CAUSE APPEARING, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Action is hereby dismissed without prejudice as to Defendant.
2. Plaintiff shall take and recover nothing by way of his Third Amended Complaint in the Action as against Defendant.
3. Judgment of dismissal is entered in favor of Defendant and against Plaintiff in the Action.
4. The Claims are determined in favor of Creditor and are allowed in their entirety.
5. Debtor’s Objection to the Claims is dismissed with prejudice.
6. Defendant shall recover its costs.

\*\*\*END OF ORDER\*\*\*

COURT SERVICE LIST

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Saratoga, CA 95070